

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, OCTOBER 18, 1999
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Wear at 2:07 p.m. The meeting was adjourned by Deputy Mayor Wear at 3:11 p.m., into closed session on Tuesday, October 19, 1999, at 9:00 a.m., in the twelfth floor conference room to discuss existing and anticipated litigation and meet and confer matters.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding- excused by Resolution R-292387
(Attending to other City business)

(1) Council Member Mathis-present

(2) Council Member Wear-present

(3) Council Member Kehoe-present

(4) Council Member Stevens-present

(5) Council Member Warden-present

(6) Council Member Stallings-present

(7) Council Member McCarty-present

(8) Council Member Vargas-present

Clerk-Fishkin (er)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

(M) Mayor Golding-not present

(1) Council Member Mathis-present

(2) Council Member Wear-present

(3) Council Member Kehoe-present

(4) Council Member Stevens-present

(5) Council Member Warden-present

(6) Council Member Stallings-present

(7) Council Member McCarty-present

(8) Council Member Vargas-present

ITEM-10: INVOCATION

Invocation was given by Pastor Steven Duescher of Living Water Lutheran Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Mathis.

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comment by Don Stillwell regarding incidents such as Ruby Ridge, the Oklahoma bombing, and Waco. He urged locally-elected officials to question federal agencies' actions and report back to the people who elected them. He stated that federal agencies are more likely to listen to local officials.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A051-066.)

PUBLIC COMMENT-2:

Comment by Margie Peary regarding the De Anza Cove Community. Ms. Peary stated that she is appealing to the compassionate side of the Council regarding what is happening to the community of De Anza Cove. She asked Council for their support in allowing them to remain at their present location.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A068-091.)

PUBLIC COMMENT-3:

Comments by Billy Paul regarding highlighting the topics on the City Council Agenda. He stated that he finds it difficult to tell what the topics are the way the agenda is currently prepared. Mr. Paul also expressed his opinion regarding people that come to the meetings who speak to the camera instead of the Council Members. The third topic Mr. Paul addressed was Halloween. He stated that it should be a fun and safe celebration and animals should not be hurt.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A094-123.)

PUBLIC COMMENT-4: REFERRED TO CITY ATTORNEY AND CITY
MANAGER

Comment by Andrew B. Kaplan regarding the Loma Sorrento Development Project. Mr. Kaplan is representing the McCarty's in an action regarding this project. He stated that current development is proceeding outside of the area the City approved and outside of what the permit has provided. He stated that it is his goal to avert legal proceedings and to urge the City Council to hold the developer to his promise.

City Attorney Gwinn responded that he has met with the parties and will continue to try to resolve the issue.

City Manager Uberuaga stated that this issue is on the Agenda for October 25, 1999.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A125-143.)

PUBLIC COMMENT-5:

Comment by Janine Benner regarding ATM fees. She stated that banks are charging twice for withdrawals from ATM machines. She applauded Deputy Mayor Wear's office for starting the process and urged Council to outlaw these fees.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A178-213.)

PUBLIC COMMENT-6:

Comment by Michael Gwinn, representing CALPRIG, regarding ATM fees. He stated that if anyone wants more information regarding this issue they can contact their office. He stated that in addition to hurting consumers, ATM surcharges threaten competition in the banking industry itself.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A215-245.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Comment by Council Member Stallings announcing that the Fire Department in conjunction with the Burn Institute is offering senior homeowners free smoke detectors.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A247-257.)

COUNCIL COMMENT-2:

Comment by Council Member Warden announcing a hotline number for juveniles in school who feel threatened or feel schools are not safe. Ms. Warden stated that juveniles who would like to speak to someone in authority may call the hotline number 1-800-499-1116.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A258-275.)

COUNCIL COMMENT-3:

Comment by Deputy Mayor Wear announcing the opening of the French American International School. Mr. Wear also offered best wishes and a speedy recovery to staff member Kay Carter.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A278-280.)

ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS: APPROVED

Approval of Council Minutes for the meetings of:

9/13/99 Special Workshop
9/14/99
9/14/99 Special Joint
9/27/99

9/28/99
9/28/99 Special Joint

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A282-286; B020-026.)

MOTION BY KEHOE TO APPROVE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding not present.

ITEM-31: San Diego Natural History Museum Day

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-407) ADOPTED AS RESOLUTION R-292299

Proclaiming October 18, 1999 to be "San Diego Natural History Museum Day" in appreciation of 125 years of scientific and corporate leadership in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A287-A366; B020-026.)

MOTION BY KEHOE TO ADOPT ITEMS 31, 32, AND 104. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding not present.

ITEM-32: Detective Louis Johns and Detective Julie Adams Day.

COUNCIL MEMBER MATHIS'S RECOMMENDATION:

Adopt the following resolution:

Amending Chapter X, Article 3, Division 1, of the San Diego Municipal Code by amending Section 103.0109; and amending Chapter 10, Article 3, Division 19, by

amending Section 103.1959, both sections relating to the Planned District Ordinances.

Subitem-C: (O-2000-28) ADOPTED AS ORDINANCE O-18693 (New Series)

Amending Ordinance Nos. O-18477, O-18478, O-18479, O-18480, O-18481, O-18482, O-18483, O-18484, O-18485, O-18486, O-18487, O-18488, O-18489, O-18490, O-18491, O-18492, O-18493, O-18494, and O-18495, by changing their effective dates to become effective on the date the Land Development Code becomes effective pursuant to Ordinance No. O-99-116, all related to Planned Districts.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

*ITEM-51: Market Creek Plaza Rezoning.

(Southeastern San Diego Community Area. District-4)

NOTE: The public testimony portion of the hearing is closed.

CITY COUNCIL'S RECOMMENDATION:

Adopt the ordinance which was introduced on 9/28/99. (Council voted 6-0. Council Members Stallings, McCarty, and Mayor Golding not present):

(O-2000-34) ADOPTED AS ORDINANCE O-18694 (New Series)

Rezoning 17.93 acres located at 4981 Market Street and 1.63 acres located at 310 Euclid Avenue into the CT-2 Zone.

FILE LOCATION: LAND - Southeastern San Diego Community Plan (10)

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-52: Underground Utility Program Policy Revisions.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 9/27/99. (Council voted 8-0. Council Member Stallings not present):

(O-2000-23) ADOPTED AS ORDINANCE O-18695 (New Series)

Amending Chapter 6, Article 1, Division 5, of the San Diego Municipal Code by amending Sections 61.0505, 61.0508, 61.0511, 61.0514 and 61.0516, relating to Underground Utilities Procedures.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-53: Alternative Procurement Method for Design-Build Contracts.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 9/28/99. (Council voted 5-0. Council Members Stallings, McCarty, Vargas and Mayor not present):

(O-2000-41 Corr. Copy) ADOPTED AS ORDINANCE O-18696 (New Series)

Amending Chapter II, Article 2, of the San Diego Municipal Code by creating a new Division 34, titled Alternative Procurement of Design-Build Contracts for Qualifying Complex Public Facilities, and adding to it Sections 22.3401, 22.3402, 22.3403, 22.3404, 22.3405, 22.3406, 22.3407, 22.3408, 22.3409, and 22.3410, relating to Design-Build Contracts for Qualifying Complex Public Facilities.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-54: Office Space Lease Amendment - Information Technology and Communications Department.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 10/5/99. (Council voted 8-1. Council Members Mathis, Wear, Kehoe, Stevens, Warden, Stallings, Vargas, and Mayor Golding voted yeas. Council Member McCarty voted nays):

(O-2000-42) ADOPTED AS ORDINANCE O-18697 (New Series)

Authorizing the City Manager to execute a 15-year Fourth Amendment to the Lease Agreement with Civic Center Associates for the expansion of the Information Technology and Communications Department.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

FILE LOCATION: LEAS - Pacific Southwest Realty Company/Civic Center Associates

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea,, Mayor Golding-not present.

ITEM-55: Two actions related to Long-Term Disposal Agreements with EDCO Disposal Corporation and Waste Management.

(District-5.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 10/5/99. (Council voted 9-0):

Subitem-A: (O-2000-43) ADOPTED AS ORDINANCE O-18698 (New Series)

Authorizing the City Manager to execute Long Term Waste Delivery Agreements with EDCO Disposal Corporation and Waste Management to ensure stable disposal tonnages and revenues at Miramar Landfill.

NOTE: 6 votes required for Subitem A.

Subitem-B: (O-2000-44) ADOPTED AS ORDINANCE O-18699 (New Series)

Amending Chapter VI, Article 6, Division 1, of the San Diego Municipal Code by amending Section 66.0129 titled "Fees for Use of Refuse Disposal Facilities;" and by amending Chapter III, Article 1, Division 3, by amending Section 31.0306 titled "Refuse Collector Business Tax" relating to Long Term Waste Delivery Agreements.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location B031-138.)

MOTION BY McCARTY TO ADOPT WITH DIRECTION TO THE CITY MANAGER TO MEET WITH OTHER HAULERS TO NEGOTIATE AN EQUITABLE ARRANGEMENT AND BRING THAT ARRANGEMENT BACK TO CITY COUNCIL FOR CONSIDERATION. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

* ITEM-100: Approving the Final Subdivision Map of Alamar.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-400) ADOPTED AS RESOLUTION R-292301

Approving the Final Map of Alamar.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a .602 acre site into 5 lots for residential development. It is located east of Draper Avenue in the La Jolla Community Plan area. On April 23, 1998 the Planning Commission of the City of San Diego approved Planned Residential/Coastal Development Permit No. 96-7681 for the subject development. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing No.29842-1-8-D. Permit No. W48268 has been issued for public improvements and Permit Performance Bond No. SD00084380 in the amount of \$93,194 has been issued by Frontier Pacific Insurance Company to ensure the completion of the public improvements. All improvements are to be completed within two years. A cash bond in the amount of \$2,400, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development".

FISCAL IMPACT:

None.

Culbreth-Graft/Haase/SH

FILE LOCATION: SUBD-96-7681 (65)

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-101: Pacific Beach Recreation Center Trust Fund.

(Pacific Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-416) CONTINUED TO MONDAY, OCTOBER 25, 1999

Authorizing the City Auditor and Comptroller to establish Pacific Beach Recreation Fund 10512 for the purpose of disbursing Pacific Beach Recreation Center [Center] income for the benefit of Pacific Beach park and recreation;

Appropriating that all funds received, including interest earnings, from the Center for the purpose of benefitting park and recreation in Pacific Beach, and that the funds may be expended at the direction of the City Manager or his designee.

CITY MANAGER SUPPORTING INFORMATION:

The purpose of today's action is to create a City Trust Fund (#10512) for the management of Pacific Beach Recreation Center income which is normally allocated to the Recreation Council to manage and disburse. The Pacific Beach Recreation Council is one of 47 Recreation Councils in the City that operates under a Special Use Permit from the Park and Recreation Director under

the authority of the City Council. The Pacific Beach Recreation Council's Special Use Permit was canceled by the Park and Recreation Department effective October 15, 1999, so provision needs to be made for the management and disbursal of these funds by the City until a new Recreation Council is formed. The Trust Fund will retain interest earnings and be used exclusively to benefit park and recreation in Pacific Beach.

FISCAL IMPACT:

Revenues will be deposited into and disbursed from this account. When a new Pacific Beach Recreation Council is formed, the monies will be transferred to an account managed by that Recreation Council.

Cubreth-Graft/McLatchy/TW

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B026-052.)

CONSENT MOTION BY MATHIS TO CONTINUE AS REQUESTED BY THE CITY MANAGER TO GIVE THE RECREATION CENTER TIME TO WORK THROUGH SOME OF THEIR FUNDING ISSUES. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-102: Replacement of Barrier Rail on the Washington Street Bridge Over Sixth Avenue.

(Uptown Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-387) ADOPTED AS RESOLUTION R-292302

Accepting the Program Supplement No. 123 to Local Agency-State Agreement for Federal Aid Project No. 11-5004 (059), in the amount of \$301,002 for Replacement of Barrier Rail on the Washington Street Bridge Over Sixth Avenue;

Authorizing the appropriation of \$301,002 from Program Supplemental No. 123, HBRR Grant Fund 38725, to CIP-52-519.0, Annual Allocation - Bridge Rails, for Replacement of Barrier Rail on the Washington Street Bridge Over Sixth Avenue;

Authorizing the expenditure of an amount not to exceed \$340,000 from CIP-52-519.0, Annual Allocation - Bridge Rails, for Replacement of Barrier Rail on the Washington Street Bridge Over Sixth Avenue, of which \$301,002 is from HBRR Grant Fund 38725, and \$38,998 is from TransNet Fund 30300 for providing funds for the project;

Authorizing the Auditor and Comptroller , upon advice from the administering department to transfer excess funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

The existing steel railing on the Washington Street Bridge Over Sixth Avenue is substandard. This project provides for the construction of a standard concrete barrier rail on the bridge and installation of guardrail where required.

FISCAL IMPACT:

Funds below are available and programmed for this work:

Total estimated cost: \$340,000

Total contribution through Program Supplement No. 11-5004 (123): \$301,002

Total Contribution by City of San Diego (TransNet): \$ 38,998

Loveland/Belock/PB

Aud. Cert. 2000288.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea,

Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

- * ITEM-103: Agreement with G&E Engineering Systems for the Water Department's Seismic Assessment Project.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-402) ADOPTED AS RESOLUTION R-292303

Authorizing an agreement with G&E Engineering, Inc., for consulting services, together with any modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and agreement;

Authorizing the expenditure of an amount not to exceed \$509,114 from Water Fund 415000;

Authorizing the City Auditor and Comptroller to transfer excess funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

In September, 1997 a Value Engineering Study (VE) was conducted by KCM Inc. to review the content and configuration of the Standards and Guidelines for the Capital Improvement Program (CIP). As a result of this effort, the VE team recommends to identify and implement an overall set of Water Department seismic design criteria. Through the consultant selection process, G&E Engineering Systems has been selected as the prime seismic design consultant. This project will generate a Water Department Seismic Policy to be implemented by the Capital Improvement Program. The project involves utilizing the design consultant with the expertise in seismic evaluation of lifeline systems to assist in the development of a seismic policy and establish a seismic design criteria document for Water Department facilities. The seismic evaluation design consultant will identify and evaluate seismic hazard levels, develop design performance criteria, estimate regional bedrock motions, and standardize design procedures for site specific soils conditions. In addition, this consultant then will identify and model Water system redundancy for various seismic scenarios to validate the adopted seismic policy. Based on this Value Engineering Recommendation, the Seismic Improvement Investigation Team proposes a Seismic Assessment Project identifying four phases to facilitate and achieve a Water Department Seismic Policy.

FISCAL IMPACT:

The total estimated cost for this project is \$509,114. This request is for \$509,114 for engineering services and project administration. Funding is available from Water Fund 41500.

Loveland/Gardner/MC

Aud. Cert. 2000334.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-104: Domestic Violence Awareness Month.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-414) ADOPTED AS RESOLUTION R-292304

Recognizing the importance of continued commitment to reduce the number of incidents of domestic violence and provide education, support and assistance to all affected, including young children, teenagers, women, men and the elderly;

Proclaiming the month of October 1999 to be "Domestic Violence Awareness Month" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A450-B026)

MOTION BY KEHOE TO ADOPT ITEMS 31, 32, AND 104. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding- not present.

* ITEM-105: Chinese Consolidated Benevolent Association Day.

DEPUTY MAYOR WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-420) ADOPTED AS RESOLUTION R-292305

Proclaiming Saturday, October 23, 1999 to be "Chinese Consolidated Benevolent Association Day" in San Diego, in recognition of the opening ceremony of the Chinese Consolidated Benevolent Association's Senior Garden and their commitment to perserving their rich cultural heritage.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-106: Binational Workshop on Children Day.

COUNCIL MEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-401) ADOPTED AS RESOLUTION R-292306

Recognizing the San Diego-Tijuana Border Initiative for their advocacy in community relations both nationally and internationally;

Proclaiming September 30, 1999 to be "Binational Workshop on Children Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-107: Grand Rooftop Sign Re-Lighting Celebration.

COUNCIL MEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-415) ADOPTED AS RESOLUTION R-292307

Commending Peter Janopaul and Anthony Block for their tireless leadership to transform a once blighted block in Centre City into a monumental and viable project in the heart of San Diego;

Proclaiming October 15, 1999 to be the "Grand Rooftop Sign Re-Lighting Celebration" to memorialize the re-lighting of the historic El Cortez sign in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-108: Bill Burke Day.

COUNCIL MEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-413) ADOPTED AS RESOLUTION R-292308

Commending and thanking Bill Burke for his many years of outstanding service to the San Diego Region and the Associated General Contractors;

Proclaiming Saturday, November 6, 1999 to be "Bill Burke Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location B031-052; B145-242.)

MOTION BY WARDEN TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-109: Lutheran Social Services Volunteer Recognition Day.

COUNCIL MEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-374) ADOPTED AS RESOLUTION R-292309

Recognizing and thanking the many volunteers of Lutheran Social Services of Southern California - San Diego County for their tireless efforts and continuous dedication to serving San Diego's most economically disadvantaged families and individuals;

Proclaiming Sunday, October 17, 1999 to be "Lutheran Social Services Volunteer Recognition Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

- * ITEM-110: Excusing Council Member Stallings from the City Council Meetings on 9/27/99, 9/28/99, and 10/4/99 and the Natural Resources and Culture Committee Meeting on 9/29/99.

COUNCIL MEMBER STALLINGS'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-403) ADOPTED AS RESOLUTION R-292310

Excusing Council Member Valerie Stallings from attending the Council meetings of September 27 and 28, 1999, October 4, 1999; and the Natural Resources and Culture Committee meeting on September 29, 1999, due to her being out of the country.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

- * ITEM-111: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(District-8.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2000-312) ADOPTED AS RESOLUTION R-292311

Declaring a Continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: GEN'L - State of Emergency Regarding the discharge of raw sewage from Tijuana, Mexico.

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-150: Two actions related to a 25-Year Percentage Rate Lease Agreement with Orfila Vineyards, Inc.

(See City Manager Report CMR-99-17. San Pasqual Valley Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-340) ADOPTED AS RESOLUTION R-292312

Authorizing a 25-year Percentage Rate Lease Agreement (with right to extend for two additional terms of five years each) with Orfila Vineyards, Inc., for the operation of a 71-acre vineyard, winery and tasting room and related activities located at 3455 San Pasqual Road, San Pasqual Valley, at a minimum annual rent of \$45,000 versus three percent of all sales.

Subitem-B: (R-2000-341) ADOPTED AS RESOLUTION R-292313

Certifying that the information contained in Mitigated Negative Declaration MND-98-1171, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by the Council in connection with the approval of a 25-year lease with two 5-year options with Orfila Vineyards, Inc.;

Adopting the Mitigation Monitoring and Reporting Program.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 2/3/99 LU&H voted 5-0 to accept the City Manager's recommendation. (Council Members Mathis, Wear, Stevens, McCarty and Vargas voted yea.)

CITY MANAGER SUPPORTING INFORMATION:

At the February 3, 1999 meeting of the Land Use and Housing Committee, the Committee approved exclusive negotiations with Orfila Vineyards. Ambassador Orfila (Orfila) purchased the leasehold in 1993 and assumed the existing lease of approximately 121 acres. Orfila has invested approximately \$1.5 million in improvements to the leased premises. Orfila is proposing to spend an additional \$700,000 for a new water delivery system, new equipment, and planting an additional 7 acres in grapes. The investment will elevate the quality and profitability of the leasehold. The Water Department recommends approval of the lease. In addition, the San Pasqual Lake Hodges Planning Group, Real Estate Advisory Committee and the Agricultural Advisory Board have recommended approval. Also, on February 3, 1999, the Land Use & Housing Committee recommended approval.

The basic terms of the lease are:

USE - Operation of a vineyard, winery and tasting room and related activities.

ACREAGE - 71 acres (leasehold reduced by 50 acres for MSCP, and other agricultural uses)

RENT - \$45,000 minimum annual rent versus 3 percent of all sales.

AUDIT - An audit deficiency of \$93,959.56 will be paid by Orfila within the first 5 years of the lease plus interest at 7 percent.

TERM - 25 years with right to extend for two additional terms of five years each.

LOCATION - 3455 San Pasqual Road, San Pasqual Valley.

The proposed lease reflects the City's updated lease provisions, MSCP, Best Management Practices, cultural and biological issues and the San Dieguito River Valley Park Trail system.

FISCAL IMPACT:

A minimum annual rent of \$45,000 will be deposited to the Water Department Fund 41500.

Culbreth-Graft/Griffith/DWE

FILE LOCATION: LEAS - Orfila Vineyards, Inc.

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-151: Pedicab Regulations.

(See memorandum from the City Attorney dated 10/8/99.)

TODAY'S ACTION IS:

Re-introduce the following ordinance which was introduced on 9/27/99. (Council voted 8-0. Council Member Stallings not present):

(O-2000-19 Rev.) RE-INTRODUCED, TO BE ADOPTED NOVEMBER 1, 1999

Re-introduction of an ordinance amending the San Diego Municipal Code by amending the title of Chapter VIII, Article 3 to read "Pedicabs, Pedestrians and Bicycles" and by amending Chapter VIII, Article 3 by adding new Division 1, titled "Pedicabs," and by adding new Sections 83.0101, 83.0102, 83.0103, 83.0104, 83.0105, 83.0106, 83.0107, 83.0108, 83.0109, 83.0110, 83.0115, 83.0116,

83.0117, 83.0118, 83.0119, 83.0120, 83.0121, 83.0122, 83.0123, 83.0124, 83.0125, 83.0126, 83.0127, 83.0128, 83.0129, 83.0130, 83.0131, 83.0132, 83.0133 and 83.0134; and by adding new Division 2, titled "Pedestrians and Bicycles," by renumbering Sections 83.01, 83.03, 83.04, 83.06, 83.07, 83.07.1 and 83.07.2 to 83.0201, 83.0202, 83.0203, 83.0204, 83.0205, 83.0206 and 83.0207 respectively, all relating to Pedestrians, Bicycles and Pedicabs.

**PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S
RECOMMENDATION:**

On 10/6/99 PS&NS voted 3-0 to direct the City Manager to investigate and report on: 1) the applicability of insurance requirements for all Pedi-cab drivers; 2) the potential for installing signage indicating Pedi-cab pick-up points in downtown; 3) the potential for implementing a "clean and sober" program for Pedi-cab drivers that would include drug testing provisions; and 4) the need for requiring Pedi-cab drivers to be CPR certified. (Council Members Warden, Mathis and Kehoe voted yea. Council Member Stevens and Wear not present.)

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO REINTRODUCE THE ORDINANCE. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-200: Re-Advertising for Bids for Sewer Pump Station No. 61.

(Kearny Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-377) ADOPTED AS RESOLUTION R-292314

Rejecting all bids for the Construction of Sewer Pump Station No. 61 received on June 25, 1999, pursuant to the June 3, 1999 publication of notice calling for bids;

Approving the amended plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the Construction of Sewer Pump Station No. 61;

Inviting bids for the Construction of Sewer Pump Station No. 61 on Work Order No. 172421;

Authorizing a contract with the lowest responsible bidder;

Authorizing the transfer of \$235,000 from Sewer Fund 41506, CIP-46-215.0, Annual Allocation - Infrastructure Upgrade and Replacement to Sewer Fund 41506, CIP-46-106.0, Annual Allocation - Sewer Pump Stations;

Authorizing the expenditure of \$1,866,000 from CIP-46-106.0, Annual Allocation-Sewer Pump Station Restoration, Sewer Fund 41506, for the construction of Sewer Pump Station No. 61, provided that the City Auditor first furnishes a certificate certifying that the funds are, or will be, on deposit with the City Treasurer;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K99254A)

CITY MANAGER SUPPORTING INFORMATION:

Sewer Pump Station No. 61 is located in 5074 Mercury Street, in the Kearny Mesa community area. Sewer Pump Station No. 61, which was built in 1972, experienced many breaks and is therefore, in need of replacement. On June 25, 1999, two bids in the amounts of \$999,231 and \$1,497,247 were received out of a total of 13 bid packages issued. The low bid (which was 11 percent above the engineer's estimate of \$900,000) was withdrawn by the bidder due to a clerical error. After an evaluation of the engineer's estimate and the bids received, it is anticipated that lower bids will be received by re-advertising this project.

FISCAL IMPACT:

The total construction and related costs of this project is \$1,866,000 of which \$647,000 is for engineering and inspection, \$1,109,000 for construction and \$110,000 for contingencies. Funding is available in Sewer Fund 41506, CIP-46-106.0, Annual Allocation-Sewer Pump Station Restoration for this purpose.

Loveland/Belock/AO

Aud. Cert. 2000261.

WWF-00-409.

FILE LOCATION: CONT - AES Construction Group; W.O. 172421

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-201: Inviting Bids for Job Order Contracting System 2000.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-286) ADOPTED AS RESOLUTION R-292315

Inviting bids to provide as-needed construction services for the Metropolitan Wastewater Department under the job order contract system, in an amount not to exceed \$8,000,000 and for a duration not to exceed two years;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$8,000,000 from Fund Nos. 41500, 41506, 41508, and 41509, to provide funds for the job order contract, all as authorized by San Diego City Charter section 94.1 and applicable enabling ordinances.

CITY MANAGER SUPPORTING INFORMATION:

For the last five years the City has successfully entered into a Job Order Contract (JOC) with various contractors. The first JOC contract was in 1995. The present JOC contract is with

Balboa Construction, Inc., for an amount of \$10,000,000. The main objective of the contract is to execute maintenance, repair, and repetitive work and small, straightforward construction projects. Each JOC contract is competitively procured. The contractor bids a factor or multiplier which is applied to all of the unit prices in the unit price book, which is part of the contract documents. The contractor with the lowest factor and a responsive, responsible bid is awarded the contract. When work is ordered by task order, the contractor and the City's representative meet to scope the work and prepare a task order. Appropriate unit priced items are selected from the contract document, the number of units are identified, and the contractor's factor is applied to the costs pulled from the contract documents.

The City is under no obligation to pay the contractor any more than the \$50,000 minimum contract obligation, and therefore the contractor has an incentive to deliver quality work in a timely fashion in order to get additional work. The exact projects to be executed under this contract have not been identified. In accordance with the California "Subletting and Subcontracting Fair Practices Act" (Public Contract Code Section 4100 ET AL), the successful Bidder shall list at the time a Proposal is submitted for each task order, the name and business location of each subcontractor who will perform work, labor, or render service on the work in excess of one-half (1/2) of one percent (1 percent) of the total proposal amount of each work order proposal submitted. Under this JOC system, a contractor that conducts or participates in bid shopping or bid peddling after the award of this contract shall not receive any additional Job Orders under this contract and such conduct shall be grounds for default by the City. The contract documents also require the Contractor to bid on a task order for the FIRP/NSPF - Vibration Monitoring on DSLHP Pipeline at the Point Loma Wastewater Treatment Plant. The Contractor will be required to show the subcontractors for this project to abide by the Fair Practices Act. The present JOC contract with Balboa is reaching the budget limit of \$10,000,000. The continuation of the Job Order Contracting System will enable the Metropolitan Wastewater Department to achieve its objective of rapidly engaging contractors in critical and necessary work while lowering costs.

FISCAL IMPACT:

The total authorized to expend is \$8,000,000. Funds for this purpose are available in the Fiscal Year 2000 Budget.

Loveland/Schlesinger/FZD

FILE LOCATION: CONT- JSA Engineering, Inc.; Job Order Contract (JOC)
2000

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-202: Inviting Bids and Approving the Plans and Specifications for the Construction of West Miramar Landfill Phase II - Module C.

(Miramar Marine Corps Air Station. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-378) ADOPTED AS RESOLUTION R-292316

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the Construction of West Miramar Landfill - Phase II - Module C.

Inviting bids for the construction of West Miramar Landfill Phase II - Module C on Work Order No. 370566;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$5,000,000 from CIP-37-056.0 West Miramar Refuse Disposal Facility - Phase II; West Miramar Landfill Liner Module C, Environmental Services Enterprise Fund, Fund No. 41201 for the purpose of providing funds for the project and related costs, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K20016C)

CITY MANAGER SUPPORTING INFORMATION:

The 807-acre West Miramar Landfill Refuse Disposal Facility is located east of I-805, south of the United States Marine Corps' Miramar Air Station and north of State Route 52. The Environmental Services Department operates the Miramar Landfill under a lease from the United States of America which is administered by the United States Navy. Landfilling operations began in 1982 and are scheduled to continue through 2011 or later. In 1991, Congress passed the Resource Conservation and Recovery Act (RCRA). A portion of the act (Part 257-258, 40 CFR) referred to as "Subtitle D" affects all landfills accepting municipal solid waste after October 9, 1993. The purpose of this action is to approve the plans and specifications, authorize the expenditure of funds required to construct the "Subtitle D" improvements for Module C, and authorize the City Manager to execute a contract with the lowest responsible bidder. The improvements to be constructed include a composite liner system, leachate collection network, monitoring facilities and a perimeter storm drain. This will be the fourth of six modules constructed with a composite liner system.

FISCAL IMPACT:

The estimated construction cost of this portion of the West Miramar Refuse Disposal Facility is \$5,000,000. Funds are available from the Environmental Services Enterprise Fund 41201, CIP-37-056.0, West Miramar Solid Waste Disposal Facility - Phase II.

Loveland/Hays/MDT

Aud. Cert. 2000160.

FILE LOCATION: CONT - Sukut Construction, Inc.; W.O. 370566

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-203: Point Loma - Headworks, Odor Control, and Grit Processing Facilities.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-392) ADOPTED AS RESOLUTION R-292317

Authorizing the City Manager to execute a third amendment to the agreement of December 4, 1994, with Black & Veatch, Engineers - Architects, for design services in connection with Point Loma - Headworks, Odor Control and Grit Processing Facilities;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$140,000 from Fund No. 41509, CIP-46-170.0, Point Loma - Digester Facility Upgrade and Expansion, to Fund No. 41508, CIP-46-175.0, Point Loma - Headworks, Odor Control and Grit Processing Facilities;

Authorizing the expenditure of an amount not to exceed \$400,000 from Fund No. 41508, CIP-46-175.0, Point Loma - Headworks, Odor Control and Grit Processing Facilities.

CITY MANAGER SUPPORTING INFORMATION:

Resolution No. 285066, adopted on December 4, 1994, authorized the City Manager to execute a design contract with Black and Veatch for the Point Loma - Headworks, Odor Control and Grit Processing Facilities Improvements. Amendment No. 1 to the contract, adopted on February 13, 1995 (Document No. C-06086), provided for revisions to the consultant's MBE/WBE participation plan. Amendment No. 2 to the contract, adopted on September 9, 1996 (Document No. C-07330), accepted the thirty (30) percent complete design package for the Headworks, Odor Control and Grit Processing Facilities Improvements (H-3), deleted further contract work for the H-3 design and replaced it with an Interim Headworks, Odor Control and Grit Processing Facilities Improvements (H-3R) design package.

The H3R project includes upgrades to the existing headworks, odor control and grit processing facilities at the Point Loma Wastewater Treatment Plant (PLWTP). Council authorized construction of the project in 1998 and the construction contract was awarded in January 1999 at a cost of \$8.2 million. Completion is scheduled for late 2000. In order to complete the project, additional services are needed for design and engineering support during construction.

Unknown site conditions have been encountered during construction which have required modifications to the original design. A platform was requested by plant staff to facilitate maintenance. This required additional design. The plant has been undergoing extensive plant wide improvements for automated control and remote monitoring systems. These plant-wide control system upgrades must be incorporated into the original design. Other additional work includes specialty inspection services and extended field support.

FISCAL IMPACT:

The total authorized to expend with this action is \$400,000 for additional design services during construction.

Loveland/Schlesinger/JAW

Aud. Cert. 2000352.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-204: Three actions related to San Diego Spectrum Maintenance Assessment District.

(Kearny Mesa Community Area. District 6).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-296) ADOPTED AS RESOLUTION R-292318-1 **

Initiating proceedings for the formation of the San Diego Spectrum Maintenance Assessment District.

**Adopted as Resolution R-292318-2 - Resolution of Intention to Levy and Collect Assessments. Per City Attorney Kelly Salt R-292318-2 (R-2000-298) assigned to this action.

Subitem-B: (R-2000-297) ADOPTED AS RESOLUTION R-292319

Preliminarily approving the City Engineer's Report.

Subitem-C: (R-2000-300) ADOPTED AS RESOLUTION R-292320

Authorizing an Advance Deposit Agreement with LNR Kearny Mesa, Inc., for the acceptance of a deposit of \$25,000, solely and exclusively for district formation costs;

Authorizing the City Auditor and Comptroller to establish the San Diego Spectrum Maintenance Assessment District Fund (Fund No. 70257), and the expenditure not to exceed \$25,000 from Fund No. 702571.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 2001 assessment for the San Diego Spectrum Maintenance Assessment District (District). The District is to be established in Fiscal Year 2000 and is located within the Kearny Mesa Community planning area, north of Balboa Avenue, south of Clairemont Mesa Boulevard, west of State Route 163 and east of Ruffin Road. The site was previously occupied by General Dynamics. The improvements within the District generally consist of landscape and paved medians, hard scape features (sidewalks, curbs, gutters, etc), detention basin areas, and landscaped parkways. The purpose of the District is to provide the maintenance of these improvements.

The Fiscal Year 2001 proposed maintenance costs for the District are as follows:

<u>DESCRIPTION</u>	<u>FUND</u>		<u>TOTAL</u>
	<u>OPERATIONS</u>	<u>RESERVE</u>	
BEGINNING BALANCE	\$ 0.00	\$ 0.00	\$ 0.00
REVENUE:			
Assessments	\$ 13,895.00	0.00	\$ 13,895.00
Interest	0.00	0.00	0.00
City Contribution	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL REVENUE	\$ 13,895.00	\$ 0.00	\$ 13,895.00
TRANSFER:	(643.00)	643.00	0.00
EXPENSE:			
Personnel	2,808.00	0.00	2,808.00
Contractual	0.00	0.00	0.00
Incidental	10,444.00	0.00	10,444.00
Utilities	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

TOTAL EXPENSE	\$ 13,252.00	\$ 0.00	\$ 13,252.00
ENDING BALANCE	\$ 0.00	\$ 643.00	\$ 643.00

The total proposed assessment for Fiscal Year 2001 includes two components for landscaping and drainage. Landscape component of the assessment for Fiscal Year 2001 is \$2.69 per Equivalent Benefit Unit (EBU), with a maximum assessment authorized of \$58.74 per EBU. The drainage component of the assessment for Fiscal Year 2001 is \$2.23 per acre, with a maximum assessment authorized of \$48.69 per acre. The assessment may be indexed annually by the factor published in the San Diego CPI-U. There are a total of 4,985.95 EBUs and a total of 205.39 acres within the district.

FISCAL IMPACT:

All costs incurred are covered by Revenues generated within the District Fiscal Year 2001. As part of the Maintenance Assessment Districts requirements, the City is obligated to contribute to the maintenance of "General Benefit" areas, such, as medians. The City's expected contribution is to be \$9,419 for a maximum of 78,492 square feet (\$0.12/square foot).

Culbreth-Graft/McLatchy/SY

FILE LOCATION: STRT-M-418-00 (34)

COUNCIL ACTION: (Tape location B031-052.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Wear at 3:12 p.m. in memory of:

Ron McElliott as requested by Mayor Golding and Council Member
Warden;

Nathaniel Tall as requested by Council Member Kehoe.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B249-298.)